

BOARD OF DIRECTORS:

Monica Vandivort, M.D.  
Mattie Stone, M.S.S.W.  
Dawn Birtwell, M.A.

September 27, 2010

Re: Windmill Ranch on 5605 Labrador Lane

To: Cochise County Planning and Zoning

Dear Sir/ madam:

Please see our enclosed citizen review results. We had one person giving comments that are enclosed for your review. This gentleman lives on Calle de la Naranja. As you can see, he is strongly in favor of removing restrictions imposed on our use of Labrador Lane westward off Calle de la Mango. We request removal of the road use restrictions from our Special Use permit.

We appreciate your assistance. We have tried to please the neighbors also and have found it impossible to do so, and we feel Mr. Keith Dennis has also tried to please them. We appreciate his attempts and also feel similarly frustrated. Those neighbors want the road closed, and we would like to fight for our rights and keep it open.

Sincerely,

Monica Vandivort M.D./sm  
Board of Directors

ELDERCARE FOR LIFE, INC.

6164 S Highway 92

PO Box 429

Hereford, AZ 85615

Phone (520) 803-1234

Fax (520) 803-6552

eldercare4life@dnamail.com

25

E



BOARD OF DIRECTORS:

Monica Vandivort, M.D.  
Mattie Stone, M.S.S.W.  
Dawn Birtwell, M.A.  
Phyllis Andrew  
Scott Wolfe

September 10, 2010

Dear Neighbors,

You are invited to submit comments on our request for a review of the road use restrictions for Windmill Ranch Assisted Living Home at 5605 E. Labrador Lane in Hereford, Arizona. We would like to unrestrict our use of the eastern section of Labrador Lane connecting with Calle de la Mango for egress and ingress. We need this eastern route to remain open and unobstructed for emergency vehicles to use, primarily, and for ease of families and visitors to the ranch.

We would be happy to meet with you or answer any questions you may have.

Submit written comments to:

Eldercare for Life, Inc.  
P.O. Box 429  
Hereford, Arizona 85615

Email comments to: [windmillranch@mail.com](mailto:windmillranch@mail.com)

Phone comments/leave message at (520) 803-1234  
or (520) 456-6518

Respectfully,

Scott Wolfe for  
Board of Directors

Phyllis Andrew, Dawn Birtwell, Mattie Stone, Monica Vandivort, and  
Scott Wolfe

ELDERCARE FOR LIFE, INC.  
6164 S Highway 92  
PO Box 429  
Hereford, AZ 85615  
Phone (520) 803-1234  
Fax (520) 803-6552  
[eldercare4life@dnaimail.com](mailto:eldercare4life@dnaimail.com)

26

E

From: Mike Trujillo <cochiseout@msn.com>

To: windmillranch@mail.com

Subject: Eastment on Labrador

Date: Sun, Sep 19, 2010 9:23 am

Attachments: 016.JPG (1091K), 017.JPG (1085K), 018.JPG (1100K), 019.JPG (1097K), 020.JPG (1101K)

My name is Michael Trujillo 6472 s. calle de la naranja (the last house on Naranja on the west side of street. I think its very important to allow unrestricted easement on Labrador.

I have considered a lawsuit on Cochise County if in fact the easement is legally gated. Is it a homeowner making his own law or was he granted special permission to place gates without considering the safety of the Ranch and the safety of Naranja residence, the most logical way to approach the Ranch is thru Mango (paved road) and Labrador (graveled) not thru Naranja (barely maintained and extremely dangerous during bad weather and just a bad road that creates undo dust to Naranja residence).

1. If he was legally allowed to place gates what is the purpose (annoy users).
2. The county will be labile when an emergency vehicles is not able to get to location by a safe manner.
3. Calle Mango is paved and it is the proper means of getting to the Windmill ranch.
4. Calle naranja residents are subjected to extreme dust and wear and tear on an already not maintained road.
5. At night the Naranja road is dangerous (not lighted and it is impossible to drive on during monsoon or rainy days).
6. Why was ths resident granted special privileges and allowed to gate an easement ?
7. The County Judge and County roads are allowing privileges without taking consideration of other residents and the safety of the community.
8. I will sign anything to have the easement ungated, I might just sue the County and make them liable.

I have provided some pictures of total disregard for the safety of our community. In July and August there were days that if lighting would have hit the Ranch, emergency vehicles would have been able to get to there thru Naranja because the road was flooded. The turn has a 3ft-8ft drop that is washed away during rain storms. The Naranja road has boulders of up to 12 in in diameter and all kinds of debris. A picture is worth a thousand words, I have attached pictures because whoever is placing gates is doing is in a malicious matter.

Michael Trujillo  
6472 S. Calle de La Naranja  
Hereford AZ 85615  
=

5 Attached Images



**From:** Mike Trujillo <cochiseout@msn.com>  
**To:** windmillranch@mail.com  
**Subject:** (no subject)  
**Date:** Sun, Sep 19, 2010 9:34 am

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Who is Keith Dennis in Cochise County Planning and Zoning he is the real culbrit because he has allowed special privilages. =



From: Mike Trujillo <cochiseout@msn.com>

To: windmillranch@mail.com

Subject: (no subject)

Date: Sun, Sep 19, 2010 9:30 am

Attachments: 001.JPG (1108K), 002.JPG (1105K), 003.JPG (1102K), 004.JPG (1108K), 005.JPG (1077K)

Do not repair the curve with the washout. Let the storms wash it away, now you trimmed the mesquites and filled some of the washout. let it grow in because everytime you repair you diminish the unsafe road.

Michael Trujillo  
234-8620  
=

5 Attached Images



**From:** Mike Trujillo <cochiseout@msn.com>

**To:** windmillranch@mail.com

**Subject:** (no subject)

**Date:** Sun, Sep 19, 2010 9:25 am

**Attachments:** 006.JPG (1079K), 007.JPG (1040K), 008.JPG (1080K), 009.JPG (1071K), 010.JPG (1064K)

More pictures of blocking pedestrians with cactus and rocks. =

5 Attached Images



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Petition Opposing Eldercare for Life Request for Use of Easement to Calle de La Mango

Cochise County Planning  
1415 Melody Lane  
Bisbee, Arizona 85603

COCHISE COUNTY

We the undersigned have reviewed the facts and circumstances of the Eldercare for Life Incorporated request for use of the eastern section of E. Labrador Lane to Calle de La Mango. We do not support their request and staunchly oppose further use of privately owned easement property. *Cochise County granted the incorporation permit for business operation against an existing "no business" covenant and without notification of other county residents.*

Again, **we the undersigned adamantly oppose granting the request** for easement use by Eldercare for Life, Incorporated.

2 Name Jenny Kolar (Vardan) [Signature]  
Address 5691 E Bramwell Hereford AZ 85615

Name Kari Priddis Kari Priddis  
Address 5677 E Bramwell Rd Hereford, AZ 85615

2 Name Charles & Lauren Padgett  
Address 5604 E. Bramwell Rd Hereford 85615

Name Joe Oyster  
Address 6676 Calle de La Mango Hereford AZ

Name Mary Gule  
Address 6716 Calle de La Mango Hereford 85615

Name Bruce & Judy Sol  
Address 6760 S Calle de La Mango

Name 6719 S. Calle de la Mango [Signature]  
Address [Signature]

Name [Signature]  
Address 5555 E. Margarita Vista Rd. Hereford AZ 85616

Name Jeann Waters  
Address 5792 E Calle Clemente Hereford 85615

2 Name [Signature] & [Signature]  
Address 6348 S Mango Hereford AZ 85615



Petition Opposing Eldercare for Life Request for Use of Easement to Calle de La Mango

Cochise County Planning  
1415 Melody Lane  
Bisbee, Arizona 85603

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Again, we the undersigned adamantly oppose granting the request for easement use by Eldercare for Life, Incorporated.

- 2 Name WALTER & ANA Edsall  
Address 5636 MAGARREE VISTA Rd Hereford AZ 85615
- Name CAROLYN HARRISINS  
Address 5616 MAGARREE VISTA Rd Hereford AZ 85615
- Name Stephanie Voegeli  
Address 5574 Magarree Vista Rd Hereford AZ 85615
- Name Robert Spalding  
Address 5726 E. Labrador Ln, Hereford, AZ 85615
- 2 Name JAMES RUBY STACY BONNETT  
Address 5734 E LABRADOR LN, HEREFORD AZ 85615
- 2 Name Ronald Theroup + Elaine Theroup  
Address 5758 LABRADOR LN,
- 2 Name RONI & NOELL CASTRO Ron Castro & Noell Castro  
Address 5780 E. LABRADOR LN HEREFORD, AZ 85615
- 2 Name LORENA BYERS GUREN BYERS RICK BYERS  
Address 6333 CALLE MANGO HEREFORD, AZ 85615
- 2 Name Jon & Elizabeth Woodard  
Address 6561 Calle De La Mango Hereford, AZ 85615
- 2 Name LINDA EASTLACK Paul Eastlack  
Address 6583 Calle de la Mango Hereford AZ 85615

**Petition Opposing Eldercare for Life Request for Use of Easement to Calle de La Mango**

**Cochise County Planning  
1415 Melody Lane  
Bisbee, Arizona 85603**

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Again, we the undersigned adamantly oppose granting the request for easement use by Eldercare for Life, Incorporated.

Name Jim Deeahunt

Address 6460 S. Calle de la Mango

Name Joan Deeahunt

Address 6460 S. Calle de la Mango

Name Linda Barnett

Address 6452 S. Calle de la Mango

Name Morgan Barnett

Address 6452 S. Calle de la Mango

Name Walter W. Chapman

Address 6222 S. Calle De La Rosa.

Name Yashie Chapman

Address 6222 S. Calle De La Rosa.

Name Mary Fox

Address 6505 Calle de La Varanjo

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_



### Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

We do not support the request for Eldercare to use Labrador Lane to Calle de La Mango. We did not move here to have a continuous string of shift workers, delivery drivers, visitors, emergency vehicles and the like continually patrolling our neighborhood creating noise, dust and danger beyond reason. We moved here to enjoy the peace and quiet of the country.

The county's allowance for the facility to become established in our neighborhood in the first place when specific covenants are in place to prevent business operations is certainly not a credit to Cochise County. This is a residential area for families to enjoy peace and quiet, not a place for a commercial medical business that draws many strangers and excess traffic of every variety. Eldercare chose to place their business in the country, if they are allowed to stay at all, they need to use the county road system and leave the residential homeowners alone.

The easement they desire to use was originally a dead-end driveway to the home, now incorporation known as Windmill Ranch. The single track driveway was never a problem for us until Eldercare widened, graded, graveled and turned scores of vehicles loose on it. During the many months that Eldercare utilized the easement to Mango, we grew extremely tired of the problems they created. The dust and noise alone were beyond reason.

Being uninformed that a business was operating in that home, many in the neighborhood suspected a crack house operation because of the high volume of traffic at odd hours. That brings us to another point. Medical facilities store medications. This is a natural draw for violent criminal activity. Sealing the access from Calle de La Mango would at least keep that danger out of Calle de La Mango's part of the neighborhood.

Eldercare agreed to abandon the easement last year. However, to our displeasure, they have not held to their agreement. They have begun using it again. It is now time for them to stop.

Please, do not approve Eldercare's request for use of the Labrador easement. We expect a written response from your office regarding this matter.

Sincerely,

*Mary Bridget Lemanski, Rn*  
*Mary Bridget T. F. Lemanski*  
*Chester S. Lemanski, Jr.*  
*Keith Lemanski*

Name(s) \_\_\_\_\_

Address 6524 Calle de la Mango  
Hereford, AZ 85615

34

F



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Jean Willahunt  
Address 6460 S. Calle de la Mango

35

F

## Concerned Hereford Neighbors

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Linda Jaime Barnett 36  
Address 6452 S. Calle de la mango, Hereford, Az 85615 F



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September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Harry M. Meyer  
Address 5155 E. Windmill Vista Rd.  
Hereford AZ

37

F

## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Kari Priddis 38  
Address 5677 E Bramwell Rd Hereford, AZ 85615 F



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

*[Handwritten Signature]*  
6760 S. Calle De La Mango  
Hereford AZ 85715

39

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## Concerned Hereford Neighbors

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1415 Melody Lane  
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Sincerely,

Name(s) Linda Eastlack

Address 6583 Calle de La Mango Hereford AZ 85615

40

F



## Concerned Hereford Neighbors

September 18, 2010

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1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Charles + Lauren Padgett  
Address 5604 E. Bramwell Hereford AZ  
85615

41  
F

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Joe Rafter

Address 6670 Calle De La Mango Hereford AZ

42

F



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

We do not support the request for Eldercare to use Labrador Lane to Calle de La Mango. We did not move here to have a continuous string of shift workers, delivery drivers, visitors, emergency vehicles and the like continually patroling our neighborhood creating noise, dust and danger beyond reason. We moved here to enjoy the peace and quiet of the country.

The county's allowance for the facility to become established in our neighborhood in the first place when specific covenants are in place to prevent business operations is certainly not a credit to Cochise County. This is a residential area for families to enjoy peace and quiet, not a place for a commercial medical business that draws many strangers and excess traffic of every variety. Eldercare chose to place their business in the country, if they are allowed to stay at all, they need to use the county road system and leave the residential homeowners alone.

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Eldercare agreed to abandon the easement last year. However, to our displeasure, they have not held to their agreement. They have begun using it again. It is now time for them to stop,

Please, do not approve Eldercare's request for use of the Labrador easement. We expect a written response from your office regarding this matter.

Sincerely,

Name(s) Ron Castro Maile E. Castro  
Address 5780 E. Labrador Lane  
Hereford, AZ 85615

43

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## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Ronald Herouf  
Address 5758 LABRADOR LN.

44

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## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Jimmy Rely Sam Bond 45  
Address 5734 E LABRADOR LN, HEREFORD, AZ F  
85615

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Robert Spalding  
Address 5726 E. Labrador Ln. Hereford AZ  
85615

46  
F



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s)

Address

  
5616 MAGARCEE VISTA Hereford AZ  
85616

47

F

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s)

Walt Edhall

Address

5636 MAGARCEE VISTA RD HEREFORD AZ  
85615

48

F



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Sincerely,

Name(s) Mary Ellen & Thomas McCloskey  
Address 6360 Calle de la Mango  
Hereford, AZ 85620

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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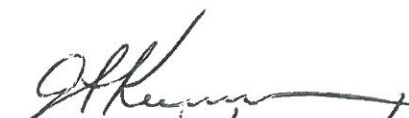
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Sincerely,

  
Name(s) GERALD & KUNIE KUMMER  
Address 6420 S. CALLE DE LA MANGO  
HEREFORD, AZ 85615

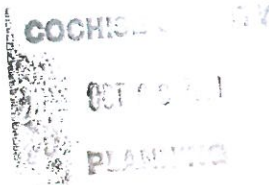
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## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603



Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

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Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s) Sarah Kirk  
Address 6320 S. Calle De La Mango, Hereford AZ

F

**Concerned Hereford Neighbors**

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY  
OCT 05 2010  
PLANNING

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Very Sincerely,

Name(s) Harlan R. White Sandra White

Address 6407 Cille Mango, Hereford, AZ 85615



**Concerned Hereford Neighbors**

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603



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Very Sincerely,

Name(s) Amy D. Haddon

Address 5756 Calle De La Alameda, Hereford AZ

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Very Sincerely,

Name(s)

Address

Christel E. Trusty  
5761 Calle de La Manzana  
Hereford AZ 85615



## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

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Very Sincerely,

COCHISE COUNTY

OCT 9 2010

PLANNING

Name(s)

Jason Kirk

Address

6320 S. Calle De La Mingo Hereford AZ

F



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

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Very Sincerely,

Name(s)

JOHN C. BRYAN  
*John C Bryan*

Address

5714 Calle de la MANZANA

Residence Address

2014 N. 66 AVE  
PHX, AZ 85035

F  
56

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

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Very Sincerely,

Name(s) Sherry Woodward  
Address 5585 E. Calle del Narciso  
Hereford, AZ 85615



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

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Very Sincerely,

Name(s)

Lillian A. Bethpell

Address

6537 S. Calle de la Naranja  
Hereford, AZ 85615

## Concerned Hereford Neighbors

September 18, 2010

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ATTN: Keith Dennis  
1415 Melody Lane  
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We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare for Life to use easement property when a county road is obviously more accessible. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,



Name(s)

Walter & Yoshie Chapman

Address

6222 S. Calle De La Rosa  
Hereford AZ 85615

COCHISE COUNTY

PLANNING



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY  
PLANNING

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare for Life to use easement property when a county road is obviously more accessible. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s) Heidi A. Smith

Address 6270 Calle de la Rosa  
Hereford

F  
60

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COMMUNITY

PLANNING

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare for Life to use easement property when a county road is obviously more accessible. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s)

Candace M. Coates

Address

6292 S. Calle de La Rosa  
Hereford, AZ 85615



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s) Jean A. Hudson  
Address vacant lot west of Caledonia  
Mango between Bramwell  
& Mc Gargee Vista

F<sub>62</sub>

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County although a "no business" covenant is in place.

Since no one was informed by either the incorporation or the by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area against the covenant.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation or allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare for Life, Incorporated to use easement property when a county road is obviously more accessible. Approval of such a request would indicate to us that the county is again not acting in the best interest of we residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests our safety, and against written restrictions.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue and we expect notification of any supervisor meetings regarding this issue.

Very Sincerely,

Name(s)

Dawn Nuetzei

Address

Po Box 10025, Hereford AZ 85015

F 63



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s) Theresa Boggie (Theresa W. Boggie)  
Address 8248 S. Sexton Place PO Box 1721  
Hereford, Az 85615

Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or the by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

We'd like to make it clear that we are not happy to have any such a business operating in our rural neighborhood and we want no expansion of their operation nor allowance of any further encroachment on any residents.

We do not support the September 10, 2010 request by Eldercare for Life to use easement property when a county road is obviously more accessible. Approval of such a request would indicate to us that the county is again not acting in the best interest of it's residents. The county's approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might approve that would be contrary to our interests and to our safety.

Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s)

Yvonne Myers Rick Myers

Address

6333 CAHIE MANO

F 65



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

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Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s)

Jean Waters

Address

5192 E Calle Alameda  
Hereford Az 85615

F  
646

**Concerned Hereford Neighbors**

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY

PLANNING

Dear Cochise County Planning,

Many in our neighborhood were unaware that a business was being established in our zoned "no business" residential neighborhood. We were never notified by either Eldercare for Life, Incorporated or by Cochise County before they began operations.

All properties in this neighborhood are subject to a "NO BUSINESS" covenant. We understand that the property owners, Monica Vandivort and Nathan Yarborough are in a business agreement with Eldercare for Life, Incorporated. Eldercare for Life, Incorporated is a business. They and the property owners are in violation of the "no business" covenant. Since we were not notified by the county before this operation began, we assume that the county was also unaware. If the Cochise County was aware, then Cochise County is also in violation.

We do not want a business operation here at all. We chose to live in the country for the peace and quiet of the country, not to be overrun by non-residents operating businesses!

We do not support the September 10, 2010 request by Eldercare for Life, Incorporated for use of easement property when a county road is more accessible. Approval of such a request would indicate to us that the county is not acting in the best interest of its residents. For approval of the business in our residential neighborhood in the first place makes us wonder what other encroachments Cochise County might allow against us.

Furthermore, we expect a full explanation from Cochise County regarding this matter.

Most Sincerely,

Name(s): Bernard L. Morrison

Address: 6719 S. Calle de la Murga



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Mr. Dennis,

Many in our neighborhood were unaware that a business was being established in our residential country neighborhood until well after the fact. It is apparent that Eldercare snuck into our neighborhood without notification, and it would appear with the full approval of Cochise County.

Since no one was informed by either the incorporation or by the county that a business was to begin operating in our neighborhood, and with the sudden increase of traffic at all hours on the dead-end driveway to the old ranch house, many people suspected a drug or possibly a smuggling operation. We found out through others in the community that the county had approved a commercial business to operate in our residential area.

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Please, do not grant Eldercare's request. We expect a written response from Cochise County regarding this issue,

Very Sincerely,

Name(s) Jan & Elizabeth Woodard

Address 6509 Calle De La Mancha Hereford Az 87415

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Cochise County Planning,

Many in our neighborhood were unaware that a business was being established in our zoned "no business" residential neighborhood. We were never notified by either Eldercare for Life, Incorporated or by Cochise County before they began operations.

All properties in this neighborhood are subject to a "NO BUSINESS" covenant. We understand that the property owners, Monica Vandivort and Nathan Yarborough are in a business agreement with Eldercare for Life, Incorporated. Eldercare for Life, Incorporated is a business. They and the property owners are in violation of the "no business" covenant. Since we were not notified by the county before this operation began, we assume that the county was also unaware. If the Cochise County was aware, then Cochise County is also in violation.

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Furthermore, we expect a full explanation from Cochise County regarding this matter.

Most Sincerely,

Name(s): Wendy Pickett

Address: 10506 E Hwy 92 Hereford, Az. 85615



## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Cochise County Planning,

Many in our neighborhood were unaware that a business was being established in our zoned "no business" residential neighborhood. We were never notified by either Eldercare for Life, Incorporated or by Cochise County before they began operations.

All properties in this neighborhood are subject to a "NO BUSINESS" covenant. We understand that the property owners, Monica Vandivort and Nathan Yarborough are in a business agreement with Eldercare for Life, Incorporated. Eldercare for Life, Incorporated is a business. They and the property owners are in violation of the "no business" covenant. Since we were not notified by the county before this operation began, we assume that the county was also unaware. If the Cochise County was aware, then Cochise County is also in violation.

We do not want a business operation here at all. We chose to live in the country for the peace and quiet of the country, not to be overrun by non-residents operating businesses!

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Furthermore, we expect a full explanation from Cochise County regarding this matter.

Most Sincerely,

Name(s): Mary Gule

Address: 6916 Calle de la Mungo

F

## Concerned Hereford Neighbors

September 18, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

Dear Cochise County Planning,

Many in our neighborhood were unaware that a business was being established in our zoned "no business" residential neighborhood. We were never notified by either Eldercare for Life, Incorporated or by Cochise County before they began operations.

All properties in this neighborhood are subject to a "NO BUSINESS" covenant. We understand that the property owners, Monica Vandivort and Nathan Yarborough are in a business agreement with Eldercare for Life, Incorporated. Eldercare for Life, Incorporated is a business. They and the property owners are in violation of the "no business" covenant. Since we were not notified by the county before this operation began, we assume that the county was also unaware. If the Cochise County was aware, then Cochise County is also in violation.

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Furthermore, we expect a full explanation from Cochise County regarding this matter.

Most Sincerely,

Name(s):

Angela Taylor, Penny Kozan (Vandivort)

Address:

5691 E Branwell Hereford AZ 85615



Chester & Mary Bridget Lemanski  
309 Massachusetts Road  
Browns Mills, NJ 08015  
Email: [lemanskibirds7@comcast.net](mailto:lemanskibirds7@comcast.net)  
(609) 893-7366

and

6524 Calle de la Mango  
Hereford, AZ 85615

Cochise County Planning Department  
ATTN: Mr. Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603  
Dear Sir:

We recently became aware of the issues involving the Windmill Ranch (Eldercare For Life, Inc.) upon receipt of their letter, dated September 10<sup>th</sup>, 2010. Since receipt of that letter we have been in contact with our neighbors on Calle de la Mango and tributary lanes. We have also conducted internet research regarding this facility and its parent corporation.

First, let us begin with an essential truth. Prior to making our decision to purchase our retirement home in Arizona we looked in several counties which we thought suitable. I (Chester Lemanski) had a recurring requirement to visit Fort Huachuca on US Army business prior to retirement. During those trips I did neighborhood research and determined that the Garden Vista area was a very low crime, low traffic area, since it was essentially accessed by a single main road without outlets to the north. These circumstances contributed to our decision to buy our home here.

During the process of purchasing our residence, we learned of the original deed covenants which apply to all properties within this sub-division, specifically, only single family, single story residences. We understand that there are no active homeowners associations acting here. If there were we would not have purchased (personal penchant for freedom). We also understand that the county does not enforce provisions of homeowner associations such as the increased property line setbacks.

All the foregoing being said, it was a great disappointment to learn of what has gone on with this medical care facility. We are aware of Mr. & Mrs. Sampson's critical problems with what has been done thus far. The impact does not end with the Sampson's, nor does it end with what Eldercare has done thus far.

First, that corporation is apparently in violation of what they agreed to thus far. They are persisting now in increasing the negative impact of their commercial venture at the expense of the residential neighbors.

We have carefully reviewed all information received and researched to date. We have arrived at a conclusion that the following scenario is very likely considering the actions of the Vandivort-Yarborough actors:

1. The actors are intent on increasing the size and scope of the commercial activities in the proximity of our residences. Additional parcels of property are available adjacent to their current holdings and the owners of these parcels, in at least some cases, are hopeful of selling their land to the actors. They have been incrementalizing their project thus far and this behavior can be anticipated to continue.

Our opinion is based in part on the circumstance that the actors' existing facility is too small to be viable in the long term. It costs more per patient to care for a smaller patient population than a larger one since all required care givers, equipment and utilities are spread over a smaller number of customers.

Expansion of the facility would impose an even greater disruption to the tranquil nature of the residential community in its proximity.

2. The actors have refused to accept that the fact that there is a county-maintained road leading to their facility. I coordinated with personnel from Cochise county on a recent trip to Arizona. This was regarding the possibility of opening a driveway to our property on Calle de la Mango since the existing driveway is on Magargee Vista Lane. The lane is too narrow to accommodate any truck over 17 feet in length, complicating our move. I was advised that it is county policy that if a residence has access on two streets, the access driveway MUST be on the road least traveled. Why doesn't that apply in this case?

3. The increase in vehicular traffic due to the improvements of the Kummer-Sampson easement by the actors is hardly at its ultimate high volume. First, as the actors enlarge their commercial enterprise, the traffic caused directly by it will increase. But, more importantly, the probability of an exponential increase in local traffic is predictable based on circumstances.

The residents at the north end of Garden Vista must now travel out to Hereford Road to reach route 92 for travel to commercial and retail areas and the population center of Sierra Vista. Once the actors open up this first conduit to the north through their property and out to route 92 via Calle de la Naranja, and the local residents all become aware of it, it will become the egress of choice from Garden Vista. Calle de la Mango will then become a major through street.

This predictable situation is ironic since the state of Arizona recently spent seven figures to improve the intersection of Hereford Road and route 92, including state of the art traffic control signals and reduced speed limits. Traffic exiting Garden Vista via Labrador Lane/Calle de la Naranja will dump onto route 92 at an unimproved intersection. This



will increase traffic safety issues and negate the full effect of the expensive improvements to the Hereford Road intersection. Has anyone considered this situation?

4. The actions of the actors from the beginning have apparently been secretive and conducted in such a manner as to indicate intent to deceive and obfuscate. This includes their latest letter with a short suspense to an action date.

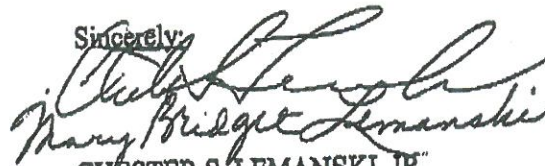
5. I understand that Dr. Vandivort is a highly respected geriatric physician; however, her executive-level involvement in at least three corporations, all based out of her home address, raises questions about her actual intentions. There are apparently all manner of commercial-zoned properties available in the greater Sierra Vista-Hereford area. There are property taxes levied on all of these parcels, regardless of location; thus, the county will still realize tax revenue regardless where the actors build their facility. Why are they so intent in building it in a designated residential neighborhood where it is not wanted?? The ground zero mosque issue comes to mind!

We have had nothing but the most professional encounters with Cochise County officials in a variety of offices since we purchased our home. We are not criticizing the county for what has occurred to date since it is possible their actions with the county have been misrepresented as well. The internet now clearly reflects that they are using Labrador Lane as the address of record for their facility, not Calle de la Naranja. This circumstance alone strongly indicates that they have no intention of complying with county-mandated restrictions on using Labrador Lane as their primary means of ingress/egress.

Not only do we not approve of granting their request to lift the restrictions on their use of Labrador Lane, but also feel that an investigation might be in order to determine if they have made misrepresentations to the government. Further, there should be sanctions for their disregard of the existing county-mandated restrictions.

We know that this is a lengthy letter; however, we wanted to insure that the extent of our feelings and research are brought to your attention. We are not opposing their intended actions offhandedly by any means. Our retirement dream home is now in jeopardy of being located on a major thoroughfare with an increased traffic safety risk and increased crime.

Sincerely,

  
CHESTER S. LEMANSKI, JR.  
MARY BRIDGET LEMANSKI

**Dennis, Keith**

---

**From:** KENNETH F SAMPSON [mtnmaster\_6@msn.com]  
**Sent:** Thursday, September 23, 2010 1:26 PM  
**To:** Dennis, Keith  
**Subject:** Letter of non approval

**Attachments:** Our Letter.doc



Our Letter.doc (26  
KB)

Keith,

Before I leave for work in about an hour, I want to drop a quick line letting you know I'll be trying to drop by your office in the late morning tomorrow. I am not sure what you mention of the 24th was, but I don't want to miss any unknown suspense regarding the intrusion of Eldercare, Incorporated in our neighborhood.

I'll be bringing a signed copy of the attached letter. I'll also be dropping off a number of other signed letters from our neighbors. Also, I have a petition to drop with you.

I and my neighbor friends will not cease until this matter is settled. I've lost twelve pounds in this recent effort and have been unable to sleep since we received the letter from Eldercare. My wife is having similar reactions. We've had to use separate bedrooms just to get three or four hours of sleep a night. We feel that we are losing what we spent nearly forty years working so hard for.

Ken Sampson



**Dennis, Keith**

---

**From:** KENNETH F SAMPSON [mtnmaster\_6@msn.com]  
**Sent:** Monday, September 20, 2010 12:00 PM  
**To:** Dennis, Keith  
**Subject:** Grading the driveway

Keith,

Would it be possible to get an order for Eldercare, Incorporated to cease grading the easement at least until this is settled. They've graded it twice in the last month. They graded it last Friday evening again.

It is funny that every time they go on the attack to push us over, they cease use of the easement entirely. They did that last year when they were on the attack too. At the same time, I don't understand why Scott Wolfe is so intent on continuing to grade it.

Thank you,

Ken Sampson

To compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical.  
Thomas Jefferson

**Dennis, Keith**

---

**From:** KENNETH F SAMPSON [mtnmaster\_6@msn.com]  
**Sent:** Monday, September 20, 2010 11:46 AM  
**To:** Dennis, Keith  
**Subject:** Re: Mailing Labels

Thanks Keith, and thanks for the call. You could tell I'm getting a bit overwrought with this hanging over our heads again.

We thought it was settled last year only to see this very aggressive outfit attack us again.

Thanks for understanding, and staying with us in our frustration.

Ken Sampson

----- Original Message -----

**From:** Dennis, Keith  
**To:** KENNETH F SAMPSON  
**Sent:** Monday, September 20, 2010 9:10 AM  
**Subject:** RE: Mailing Labels

We have just over two months, and that is assuming they get in before the 24th deadline. There will property owner letters sent out by the County, and a public hearing on the 10th of November.

Eldercare was required to send those Citizen Review letters out, and to do so far in advance of any public hearing, which is when the P&Z Commission would make their decision on this matter. Those decisions are appealable to the Board of Supervisors if you or they wind up dissatisfied with the result.

---

**From:** KENNETH F SAMPSON [mailto:mtnmaster\_6@msn.com]  
**Sent:** Mon 9/20/2010 8:58 AM  
**To:** Dennis, Keith  
**Subject:** Re: Mailing Labels

That is not a reasonable time for us to react. The letter written by Eldercare was only dated the 10th and residents didn't get it until a few days after that. We need more time. I'd hate to lose our property rights to a bunch of strangers taking over my back yard permanently. So would our neighbors.

----- Original Message -----

**From:** Dennis, Keith <mailto:KDennis@cochise.az.gov>  
**To:** KENNETH F SAMPSON <mailto:mtnmaster\_6@msn.com>  
**Sent:** Monday, September 20, 2010 7:13 AM  
**Subject:** RE: Mailing Labels

Ken, if they make the September 24 deadline, the item will be heard by the Commission on



## Dennis, Keith

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**From:** KENNETH F SAMPSON [mtnmaster\_6@msn.com]  
**Sent:** Monday, September 20, 2010 10:12 AM  
**To:** Dennis, Keith  
**Subject:** Re: Mailing Labels

**Attachments:** Petition 2.pdf; Petition 1.pdf



Petition 2.pdf (756 KB)



Petition 1.pdf (779 KB)

Thank you.

I spent Saturday going door to door on foot. I visited 19 homes and got 29 signatures and 20 signed letters opposing the takeover of the easement.

Today, I am mailing many others from the list you provided. I am asking people to sign a similar letter to the one I hand carried Saturday.

I'm sure that will take us well past the 24th as some of the addressees are out of state. I've actually been called by a family in New Jersey on this matter.

As you can see, if I visited 20 homes and got 20 letters, 100% of the people here are totally against ANY expansion or takeover of a medical business in our zoned no business neighborhood. (See attachments for petition, the letters will be forthcoming).

It would appear that information is power. Windmill Ranch is praying on the uninformed. I'd hate to accuse the supervisors of the same thing. The county needs to allow the information to get to the people. In fact, they should have actually been the distributors of very complete information as it affects many people. It is obvious that Monica Vandivort with her four other incorporations in our area is WELL connected in the county. It is too bad that the supervisors have no concern for the other tax payers of the county.

In America, we seem to lose a freedom or two every day of our lives. It is bad government that allows such action.

Again, thank you Keith. You seem to be the one county person that cares enough to help.

Ken Sampson

----- Original Message -----

**From:** Dennis, Keith

**To:** KENNETH F SAMPSON

**Sent:** Monday, September 20, 2010 9:21 AM

**Subject:** RE: Mailing Labels

Ken, I am in a training session right now checking my email on a laptop with a different sort of keyboard. I was trying to say that there ought to be plenty of time for any sort of organizing of public efforts you would care to engage in. The clock doesn't even start until after the deadline, for instance.

## Dennis, Keith

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**From:** KENNETH F SAMPSON [mtnmaster\_6@msn.com]  
**Sent:** Friday, September 17, 2010 11:51 PM  
**To:** Dennis, Keith  
**Subject:** Re: Mailing Labels

Keith,

Thank you very much. It appears that my neighbors and I have our work cut out for us over the next few weeks.

When I arrived home from work tonight, I saw that Scott Wolfe had once again plowed through the lane with his blade. I can't understand why a supposed Christian organization continues to break their word. The use of the lane is has again been getting out of control! Again Scott left the gates open. It was dark so I could not see if he bent the posts over again like he bragged about doing the last time he stirred up the dust.

I can't see why he can't at least wait until the county approves or disapproves their recent request.

If it is approved Vickie and I will be selling our home. I'm retired military. Vickie and I lived in nearly twenty homes in twenty-three years. This was designed to be our final home until death. If the lane is opened, we'll have lost that dream. We'll will leave Cochise County in it's own dust.

Thanks again for your help,  
Ken Sampson

----- Original Message -----

**From:** Dennis, Keith  
**To:** mtnmaster\_6@msn.com  
**Sent:** Friday, September 17, 2010 1:42 PM  
**Subject:** Mailing Labels

<<SKMBT\_C55209091713320[1].pdf>>

Keith Dennis - Senior Planner  
Cochise County Community Development  
1415 E Melody Lane  
Bisbee AZ 85603  
Phone (520) 432-9244  
Fax (520) 432-9278

**Public Programs - Personal Service**  
[www.cochisecounty.com](http://www.cochisecounty.com)



Kenneth F and Vickie R. Sampson  
6348 S. Calle de La Mango  
Hereford, Arizona  
(520) 803-9135

September 23, 2010

Cochise County Planning Department  
ATTN: Keith Dennis  
1415 Melody Lane  
Bisbee, AZ 85603

COCHISE COUNTY  
PLANNING

Dear Mr. Dennis and Supervisors,

Once again, we do not support the request for Eldercare to use Labrador Lane to Calle de La Mango. The single family drive that we pay taxes on is less than 25 feet from our house and is basically part of our back yard. We did not move to the country to have a continuous string of shift workers, logistical services, inspectors, doctors, delivery truck drivers, visitors, obtrusive emergency vehicles and the like continually patrolling our back yard creating noise and dust as well as danger to our grandchildren at all hours. We do not enjoy having scores of strangers constantly stare into our back yard and into our lives at all. This highly intrusive Eldercare business needs to utilize the shorter and county maintained Naranja route as directed by Cochise County last year.

In 1997, we purchased the property on which to build our home because it was near the end of an essentially dead-end road in the country, and because there was a "no business" covenant in the entire neighborhood. We wanted serenity after living in 18 different homes during my military service to our country. This was to be our final and peaceful home for the rest of our lives.

During the first ten years here, our pride of home ownership showed in the time we spent trimming, planting and landscaping. We erected masonry terraces, Koi ponds, a pergola, a gazebo and even a bird sanctuary. We took pride in our back yard grilling, dining and hot tub area. We enjoyed many gatherings and celebrations in the quiet of the beautiful area we had created.

All of that came to a halt as we experienced the city-like intrusion of cars and large trucks on what use to just be a friendly neighbor's driveway passing our back yard. If you look at our property now, you'll see the decay of all our efforts as we have had our joy stripped away by unwanted strangers. We no longer enjoy or even care to maintain what we had worked so hard to design and build. No more back yard weddings or

celebrations. We have not had a gathering at our home at all now in over two years due to the loss of privacy and quiet, not to mention the dust and the danger to our and to our guests children.

Even after Eldercare for Life was directed by the county to cease use of the old driveway last year, they failed to comply. After our installing the gates at the recommendation of the planning office, Eldercare continues to abuse us by driving on the lane, grading it, and by their outright wanton destruction of our expensive gates.

As for Eldercare's recent claim that they "need" our property for emergency services access, the fire station on Yaqui on two occasions has informed us that since S. Edward now connects with Fresa, they are using the county maintained and ½ mile shorter route of Naranja to access Windmill Ranch. The Yaqui Fire Station even offered to place fire department locks on our gates to help us curb the misuse.

For county planning to permit a medical facility to become established in our neighborhood in the first place when specific covenants are in place to prevent business operations is certainly not a credit to Cochise County. This was once a residential area for families to enjoy the peace and quiet of the country. Now it appears that it is a place for a commercial medical business that draws strangers and excess traffic from cars to delivery trucks at all hours of the day and night. Eldercare chose to place their business in the country and Cochise County broke the rules at our expense to allow them to do so. If Eldercare for Life, Incorporated is allowed to remain at all, they must be forced to use the county road system and leave residential homeowners alone.

We are not alone in our disgust with both Eldercare for Life, Incorporated and with Cochise County Planning. We have visited many homes in our neighborhood. Everyone we visited was eager to sign letters and a petition in an effort to halt the growth of a city-like business in our once placid country neighborhood. The sentiments are overwhelmingly against the counties actions of permitting the business in our zoned "no business" neighborhood. Some have sited the fact that there is now a draw for criminal activity as medical facilities dispense drugs and drugs draw violent criminals. People are sick and tired of the excessive and non-resident traffic on our streets. They are incensed that the county would act as they have by approving such an establishment without first canvassing them on the matter.

The Eldercare, Incorporated attacks never cease. This entire easement issue was handled last year with the outcome being that Eldercare for Life, Incorporated was directed by the county to cease use of the driveway. We spent much time and money fighting it then and we now find ourselves spending even a greater amount of time (including vacation time from work) and money in a recurrence of the same fight.



Finally, if the use of our property by eldercare is approved, we will be selling the home we designed to be our final home. We will be leaving Cochise County in disgust. We are certain that the sale will be a problem and we will suffer a huge financial loss. After all, who would buy a home this far from town when they can get more privacy, less traffic less noise and can avoid a constant dusting by living in town?

Your favorable consideration of this matter is most urgently requested,

Earnestly,

The block contains two handwritten signatures in cursive. The first signature is for Kenneth F. Sampson and the second is for Vickie R. Sampson. They are written in dark ink.

Kenneth F. and Vickie R. Sampson

CLARK COUNTY

OCT 04 2010

PLANNING

September 30, 2010

To whom it may concern,

This letter comes to you in response to an upcoming review of Labrador Lane in Hereford, Arizona. Being a nearby resident of Windmill Ranch, an assisted care facility in my understanding, it seems appropriate that I submit a few comments on behalf of myself and others in the neighborhood.

It should be noted first that we have been in the area for over twelve years and that the original access to the property that has become Windmill Ranch was from Calle De La Mango, an estimated mere distance of three hundred feet from the county maintained, hard-surfaced road. However, somehow and without notice or a comment period to neighboring residents, travel to this property was diverted to Calle De La Naranja Street, resulting in nearly a half mile of negotiating a sporadically maintained county dirt road. Obviously, that has changed a once dead-end road into a much more hazardous thoroughfare for the numerous residents, including numerous children.

We also have a question as to whether it is appropriate to have a perceived commercial venture in the form of a multi-family residence in the area of a single-family location. I am reasonably certain that the county zoning authorities would not allow this to happen outside set guidelines, but we must reaffirm that this arrangement was not submitted to local residents prior to its acceptance for comments and opinions. We do not deny anyone the right to a business or means of income or the county a new source of tax revenue. However, it should be fulfilled only after the completion of due process. According to several residents along Calle Naranja Street, they knew nothing of this during the planning and approval stages.

In a concluding summary of these listed concerns, it should be clearly known that we are in agreement that the access to the Windmill Ranch property on Labrador

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Lane should be returned by way of its original easement from Calle De La Mango. It might also be revisited as to whether a multi-family and/or commercial housing project is appropriate for the existing single-family residential area in question. We are certain that you are fully aware of the real impact of these changes brought to the neighboring area—increased traffic, excessive speed of traffic, increased dust, additional hazards to resident pedestrians, and accelerated damage to the dirt road. We do want you to realize, too, that these problems did not exist prior to the rerouted access onto Calle De La Naranja. They certainly were not a factor prior to the change from a family residence to an assisted care facility. Return as much of this unsupported action to the original configuration as is feasible.

Thank you for your time and careful understanding in this matter.

Respectfully,

David Dicky

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We object to the removal of the conditions set by the Planning and Zoning commission last year. We cite the same reasons as before: Increased traffic causing a lack of privacy, exposure to unknown people, disturbing our peace and quiet plus setting up a potential for increase of crime in our area.

Both the staff and Nathan Yarbough have not complied with the conditions. We have witness numerous times of service vehicles, medial delivery personnel, visitors and staff members using the East end of Labrador Lane. Many of these incidents but not all were reported by phone to the Planning and Zoning Office.

Labrador Lane is not a county maintained road. It is not a public road. It is an easement with rights of ingress and egress by the property owners needing to do so. Due to the Orange sign for Rural Addressing, some people have assumed it is a public road. In order to protect our property and privacy, gates were installed across the lane to indicate that this is private property. This was also to slow down the delivery drivers who were driving fast enough to raise dust. Signs indicating that this is a private driveway have been ignored.

There is access via Calle de la Naranja. Naranja is a county maintain road with access to the Windmill ranch facility without disturbing any other residents of Labrador Lane. We asked some of the users of Labrador Lane why they were coming this route instead of going via Naranja. The Lowes delivery man, some visitors and others said because the staff at the facility had told them to come this way. They were also told to leave the gates open. We feel that the Planning and Zoning commission set some reasonable conditions on the owners of the Windmill Ranch Facility. These conditions have not been met.

We had a survey done of our property to determine exactly where the easement lay. The survey was done by the Alta Land Survey a licensed survey company in Cochise County. The survey has been recorded at the county recorder office. Maps that had came with our deed show three easements along the south side of our property lined up next to each other. The easements per the survey show that the easements are not next to each other. The easements are over top of each other but do not line up. The assumption had been made that there was 36 feet available for ingress and egress. This is not true.

The 12 foot easement: (Document No. # 9306-16266) on the south side of our property pertains only to us. It has been abandoned by merger. We bought the first lot in 1993 closing was done Oct 1993 after which we purchased the lot to the west in Dec 1993. By definition an easement is granting another access to another to get from point A to point B.

The two remaining easements are (Document No. # 8512-25341) a 24 foot easement and (Document No. #9402-03836) a 12 foot easement layered over the top of each other in a skewed manner. The result of the exact layout of the easements results in less than 24 feet available for ingress and egress. That would pose no problem or concern for a single house dwelling but for the use of a business it would cause concerns. Again, I will repeat there is room at the west end of Labrador Lane. There is undeveloped property that could be obtain by the facility should they need to do so.

Kummer Letter  
Nov 1 2010 F 85



The driveway, that is Labrador Lane, has for the past 15 years of the 17 years that we have owned this property, been two ruts going back to an old ranch house. Thru the years John Fritz has lived there on and off. He has rented it out at times. He had put up a gate with a lock as he had been bothered by people coming to look see what was there. Since purchasing the property Nathan and Monica have decided to make changes. Nathan put down gravel and widened the lane. These changes have now encouraged others to believe that this is a road. Ignorance on their part, but an assumption based on the Orange Sign saying Labrador Lane plus an ability to drive or walk from Calle de la Mango to Calle de la Naranja. When asked why they were driving on this they claimed they had a right to do so.

We ask that the 24 foot easement (document No. 8512-25341) be amended to remove the ingress and egress conditions of the easement for the 385.9 feet abutting parcels 104-02-006Z and 104-02-029C. We also ask that the lane be renamed. This would help avoid confusion due to the part of Labrador Lane that is across Calle de la Mango but not aligned with the Labrador Lane in question. Please refer to the accompanying diagram for additional details. This would solve the issue regarding which end of Labrador Lane is to be used. This would still allow access by all other parcels abutting this lane.

The other six property owners have access to their property via the west end of Labrador Lane. The access from the east end between the Sampson and us (Kummer) is a want not a necessity. Of the six properties that are abutted to the access, three have already established utilities and ingress/egress by other routes. Of the remaining three parcels, two have access to their properties by way of easement on their south and north sides. The remaining property has access via easement to Calle de la Naranja and Calle de la Rosa.

The property owners of parcel #104-02-006F have elected to engage in the business running a home resident care facility. They have abused the privilege of the right to cross our property altering the existing driveway. They have a right to cross our property but they do not have the right to deny us our rights to use our property. They have altered our property without our approval. We are now alerted as to our rights and obligations. We will be on guard to protect our property.

# SPECIAL USE: Docket SU-09-08A (Eldercare for Life)

\_\_\_\_ YES, I SUPPORT THIS REQUEST

Please state your reasons: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: It is my opinion that this facility belongs  
in a commercial area. This is a neighborhood with  
children that play outside. The high volume of traffic  
that is required to support this facility makes it unsafe  
for my child and disrupts the tranquility that used to  
be ours. Thank you for taking into consideration my concerns.

(Attach additional sheets, if necessary)

PRINT NAME(S): Linda Jaime Barnett \_\_\_\_\_

SIGNATURE(S): Linda Jaime Barnett \_\_\_\_\_

YOUR TAX PARCEL NUMBER: 104-02-0298 (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 6452 S. Calle de la Mango, Hereford, AZ 85615

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on November 2, 2010 if you wish the Commission to consider them before the meeting. We can not make exceptions to this deadline, however, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Commissioners to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis

Cochise County Planning Department  
1415 Melody Lane, Building E  
Bisbee, AZ 85603  
Email: kdennis@cochise.az.gov  
Fax: (520) 432-9278

COCHISE COUNTY

OCT 23 2010

PLANNING

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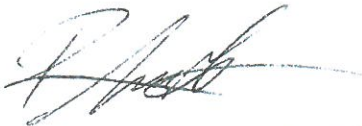


October 2010

To Keith Dennis,

My name is Ross Anderson and I am a long time friend of Kunie and Gerald Kummer. Over the course of the last six months, I have helped out them with many projects on their property. During this time I have seen many cars, trucks and commercial vehicles travel up and down Labrador Lane. On several occasions the people have driven in and out using the gate to access the drive and have not secured the gates when completing their entrance or exit to the property of which is used to drive back to the residence behind the Kummer property. Speed has been a major concern as there are children in the immediate area that could easily be hurt by such traffic not using caution.

Ross Anderson



all sh 480 478-5278

To: Cochise County Planning and Zoning Commission


From: Sharon L. Dingwall

Re: Access to Windmill Ranch Assisted Living Facility

I was asked to describe my first visit to Windmill Ranch regarding driving access to the facility. Sometime in early August, my husband and I called Windmill Ranch to see if our friend Ruth Dupes, a new resident, could receive visitors. I was assured by a staff member that we were welcome and I asked for driving directions to the ranch. I was given the following directions: Highway 92 south to Hereford Rd., then left on Hereford to Calle de la Mango and left on Labrador Lane. We followed the directions to the turn onto Labrador Lane where we encountered two gates. I had been told that we were to open the gates to get access and that we could leave them open. When my husband got out to open the gates, we were approached by the owner of the property on the left side of Labrador Lane that we were not allowed to come that way. He said that there was some kind of proceedings pending and that he had grandchildren who played on his property that would be endangered if cars were allowed to come that way. I asked him to give us directions for the other way in, but he said that we could come that way on that day. He allowed us to drive through and then closed the gates behind us.

After visiting our friend Ruth, we left by the other way, which takes you onto Calle de la Naranja, then Calle de la Fresca onto Edward V, which then leads back to Hereford Rd. There is a problem with this route, demonstrated that day and on 5 other round-trips in that Calle de la Naranja is unimproved and extremely rough. Although there are several houses along that street, it is a wreck and only allowed me to drive between 5 and 8 mph. in order to avoid damage to my car.

I hope that this information is of help to the Commission in dealing with this matter.

  
Sharon L. Dingwall

2368 Golf Links Rd.

Sierra Vista, AZ 85635

(520) 458-6527 email- sl\_dingwall@cox.net

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October 31, 2010

To whom it may concern:

On Sunday October 3<sup>rd</sup>, while visiting the Kunie and Gerald Kummer for dinner and cards I witnessed two automobiles traveled down Labrador Lane going west from Calle de la Mango. They left both gates open disregarding the posted notice to close the gates. Should additional information be needed feel free to contact me at 520 803-6710.

  
Stan Costales

9397 Nevada Lane

Hereford, AZ 85615

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November 1, 2010

To Whom It May Concern,

I called Windmill Ranch for directions to visit Ruth Dupes. I was told to take Mango to Labrador Lane to the Ranch. I later found out that was a private Road.

*Shirley Elliston*  
Shirley Elliston

CELL 520 508-0628



# FRY/FIRE

"YOUR 911 LIFELINE"

4817 Apache Sierra Vista, AZ 85635

July 27, 2010

Scott Wolfe  
Windmill Ranch Assisted Living  
5605 Labrador Lane  
Hereford, AZ. 85615

The Fry Fire District is concerned about vehicle access to the Windmill Ranch Assisted Living facility located at 5605 Labrador Lane. The primary route, which is west on Labrador Lane from Calle De La Mango, has been obstructed with the installation of two gates. Although these gates are unlocked, emergency response personnel will be delayed while traveling on the easement. The secondary access route is to travel north down Calle De La Naranja from Calle De La Fresa. Due to storm water drainage, this route has the potential of being impassable during storm conditions. The road shows signs of previous washouts and has loose sand conditions that may result in emergency vehicles becoming stuck.

The Fry Fire District relies on the mapping system provided by Cochise County. The county maps do not show that Calle De La Naranja is a viable access route to the facility. Furthermore, signage on the gates blocking Labrador Lane reads no trespassing. The combination of these two conditions could severely delay the fire district response during an emergency. We are also concerned about a trench that been dug across the road. It appears emergency vehicles could navigate the trench during dry conditions but may not be able to under rainwater drainage and future washouts.

Sincerely,



Mike McKearney  
Fire Marshal, Fry Fire District



## ARIZONA AMBULANCE TRANSPORT

P.O. Box 1689 • Sierra Vista, Arizona 85636  
(520) 459-4040 Office  
(520) 459-6060 Fax  
www.azambulance.com



August 3, 2010

Re: Windmill Ranch Assisted Living Home  
5605 E. Labrador Lane  
Hereford, AZ 85615

To Whom It May Concern:

It has been brought to our attention that the easement to Windmill Ranch Assisted Living Facility located at 5605 Labrador Lane has become obstructed. Arizona Ambulance of Douglas services the community by providing EMS services as well as para-transit services. The primary route, west on Labrador Lane from Calle De La Mango, has been obstructed with the installation of two gates and no trespassing signs. Furthermore, a trench has been dug across the road. Although the gates are unlocked personnel would have to open the gates delaying the safe transport of a patient home. The trench dug around the road could become impassable during storm conditions as well as causing future washouts.

The secondary access route is to travel north down Calle De La Naranja from Calle De La Fresa. This route has potential to be impassable during storm conditions. Arizona Ambulance of Douglas relies on the Cochise County mapping system for navigation. The county maps do not show that Calle De La Naranja is a viable access route to the facility. This route shows signs of previous washouts and has loose sand that may result in vehicles becoming stuck. The safety of our patients is of our utmost concern.

Sincerely,

Beth Mullins  
Administrative Services Manager  
Arizona Ambulance of Douglas  
4266 E. Industry Dr. Suite 4  
Sierra Vista, AZ 85635



*Southern Arizona Funeral Services LLC dba*  
**Jensen's Sierra Vista Mortuary**  
Foothills Memorial Crematory  
5515 S. Hwy 92  
Sierra Vista, Arizona 85650  
520-378-4895 ~ Fax 520-378-4896  
E-Mail ~ [jsvm@cox.net](mailto:jsvm@cox.net)

In regards to the road leading to Windmill Ranch, we here at Jensen's Mortuary are concerned as to the primitive road that is currently necessary to access the facility. Being a dirt road, this route is difficult to transverse and hard on the vehicles. There is also the concern that in heavy rains the road may become unusable. If this route were to be paved it would save a great deal of difficulty for our staff

Thank You



Greg Pfaff  
Funeral Director

